

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FORTESA QORROLI,

Plaintiff,

Civ. Case No.:  
1:18-cv-06836-DLC

-against-

METROPOLITAN DENTAL ASSOCIATES,  
D.D.S – 225 BROADWAY, P.C.,  
METROPOLITAN DENTAL ASSOCIATES,  
D.D.S., P.C.,  
MARIO ORANTES, individually, and  
DR. PAUL I. COHEN, individually,

Defendants.  
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**AFFIRMATION OF ZACHARY  
HOLZBERG, ESQ.  
IN SUPPORT OF MOTION FOR A  
NEW PARTIAL TRIAL  
REGARDING DAMAGES ONLY**

ZACHARY HOLZBERG, an attorney duly admitted to practice law before the Courts of the State of New York and before this Court, affirms the following under penalty of perjury:

1. I am a partner with the law firm of Derek Smith Law Group, PLLC, the counsel of record for the Plaintiff Fortesa Qorrolli (“Plaintiff” or “Qorrolli”), and as such, I am fully familiar with the facts and circumstances contained herein.
2. This Affirmation is submitted in support of Plaintiff’s motion for a new trial specifically on the issue of damages only, in accordance with Fed. R. Civ. P. (“FRCP”) 59(a)(1)(A), or in the alternative for an Order amending the judgment entered February 14, 2023, specifically on the issue of damages only, in accordance with FRCP 59(e), together with such other and further relief as this Court may deem just and proper.
3. Attached as Exhibit A to this Affirmation is true and correct copy of an excerpt from the first trial transcript from October 24, 2022.
4. Attached as Exhibit B to this Affirmation is true and correct copy of the transcript from the final pretrial conference held on January 26, 2023.

5. Attached as Exhibit C to this Affirmation is true and correct copy of Plaintiff's Trial Exhibit 1, the anonymous fax dated October 12, 2015.
6. Attached as Exhibit D to this Affirmation is true and correct copy of an email sent from Mr. Wims on October 20, 2022.
7. Attached as Exhibit E to this Affirmation is true and correct copy of a note received from the jury on February 9, 2023.
8. Attached as Exhibit F to this Affirmation is a true and correct copy of note received from the jury on February 9, 2023.

Dated: March 14, 2023  
New York, New York

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Zachary Holzberg